

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

STEVEN TODD MILLER,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

Case No. C05-5046RBL

ORDER DISMISSING PETITION

The Court, having reviewed the petition for *habeas corpus*, the Report and Recommendation of Judge Karen L. Strombom, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's federal habeas petition is DISMISSED without prejudice.
- (3) The Clerk is directed to send copies of this Order to petitioner and to Judge Strombom.

DATED this 31<sup>st</sup> day of May, 2005.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE